

Amendment and Response

Applicant: Gary B. Gordon et al.

Serial No.: 09/812,252

Filed: March 19, 2001

Docket No.: 10010189-1

Title: IMPEDANCE SENSING SCREEN POINTING DEVICE

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed December 14, 2005. In that Office Action, the Examiner rejected claims 1, 2, and 19 under the judicially-created Doctrine of Obviousness-Type Double Patenting as being unpatentable over claims 1 and 11 of Wallace, U.S. Patent No. 6,621,483 ("Wallace"). Claims 3-18 and 20-35 were rejected under the judicially-created Doctrine of Obviousness-Type Double Patenting as being unpatentable over claims 1 and 11 of Wallace in view of Edwards, U.S. Patent No. 5,194,862 ("Edwards").

With this Amendment, clarifying amendments have been made to the Summary of the Invention and the Abstract to correspond to language used in the independent claims. Claims 1-35 remain pending in the application and are presented for reconsideration and allowance.

Rejections under Doctrine of Obviousness-Type Double Patenting

The Examiner rejected claims 1, 2, and 19 under the judicially-created Doctrine of Obviousness-Type Double Patenting as being unpatentable over claims 1 and 11 of Wallace, U.S. Patent No. 6,621,483 ("Wallace"). Claims 3-18 and 20-35 were rejected under the judicially-created Doctrine of Obviousness-Type Double Patenting as being unpatentable over claims 1 and 11 of Wallace in view of Edwards, U.S. Patent No. 5,194,862 ("Edwards"). Applicant respectfully disagrees with the Examiner that claims 1-35 are obvious in view of Wallace and Edwards, either alone, or in combination. Nonetheless, to facilitate efficient prosecution of the present application, the Applicants have submitted herewith a Terminal Disclaimer filed under 37 C.F.R. 1.321 along with the appropriate fees to obviate the Examiner's double patenting rejection.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-35 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-35 is respectfully requested.

Amendment and Response

Applicant: Gary B. Gordon et al.

Serial No.: 09/812,252

Filed: March 19, 2001

Docket No.: 10010189-1

Title: IMPEDANCE SENSING SCREEN POINTING DEVICE

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-1078.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Jeff A. Holmen at the below-listed telephone number or Pamela Lau Kee at Telephone No. (408) 553-3059, Facsimile No. (408) 553-3063. In addition, all correspondence should continue to be directed to the following address:

Agilent Technologies, Inc.
Intellectual Property Administration
Legal Department, M/S DL429
P.O. Box 7599
Loveland, CO 80537-0599

Respectfully submitted,

Gary B. Gordon et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-0178
Facsimile: (612) 573-2005

Date:

3/8/05

JAH:jmc

Jeff A. Holmen

Reg. No. 38,492

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8th day of March, 2005.

By

Name: Jeff A. Holmen